

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

LEE R. McGLOTHAN

PLAINTIFF

V.

CIVIL ACTION NO. 3:04CV95-B-A

JO ANNE B. BARNHART, COMMISSIONER
OF SOCIAL SECURITY

DEFENDANT

ORDER

On consideration of the file and records in this action, the court finds that the report and recommendation of the United States Magistrate Judge dated March 29, 2006, was on that date served by first class mail upon counsel of record; more than ten days have elapsed since service of the report and recommendation; and no objection has been filed or served. The court is of the opinion that the report and recommendation should be approved and adopted as the opinion of the court.

It is, therefore, **ORDERED AND ADJUDGED**:

1. That the report and recommendation of the United States Magistrate Judge dated March 29, 2006, is approved and adopted, and the proposed findings of fact and conclusions of law therein set out are adopted as the findings of fact and conclusions of law of the court.
2. The plaintiff's motion for attorney fees is **GRANTED**.

This, the 24th day of May, 2006.

/s/ Neal Biggers

**NEAL B. BIGGERS, JR.
SENIOR U.S. DISTRICT JUDGE**